

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DONALD MOBLEY	:	CIVIL ACTION
	:	
v.	:	
	:	NO. 09-815
LINDA TARLINI	:	

**ORDER**

AND NOW, this \_\_15<sup>th</sup> \_\_\_\_\_ day of July 2009, after reviewing Defendant's Motion for Judgment on the Pleadings (Doc. No. 4), it is hereby ORDERED that Defendant's Motion is GRANTED in part and DENIED in part as follows:

- (1) Defendant's Motion is DENIED without prejudice as to Counts I (First Amendment free speech), II (First Amendment right to petition), III (First Amendment retaliation), and V (Pennsylvania free speech);
- (2) Defendant's Motion is GRANTED as to Count IV (Fourteenth Amendment equal protection);
- (3) The Court will hold a pre-trial telephone conference on July 23, 2009 at 11:00 a.m. to discuss discovery and filing of dispositive motions. Plaintiff will initiate the telephone conference and when all counsel are on the line, call Chambers at (267) 299.7520.

BY THE COURT:

/s Michael M. Baylson

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Michael M. Baylson, U.S.D.J.